

REMARKS

This is a full and timely response to the outstanding final Office Action mailed September 8, 2005. Claims 1, 3-13, and 31-34 remain pending in the present application.

In the Office Action, pending claims 1, 3-13, and 31-34 have been preliminarily rejected as being allegedly unpatentable under 35 U.S.C. §103. The Applicant respectfully traverses all of the rejections of the Office Action. Reconsideration and allowance of the subject application and presently pending claims 1, 3-13, and 31-34 is respectfully requested.

I. Examiner Interview

The Applicants first wish to express their sincere appreciation for the time that the Examiner spent with the Applicants and their Attorney during a December 2, 2005, telephone discussion regarding the above-identified Office Action. The Applicants believe that certain important issues were identified during the telephone discussion, and that they are resolved herein. During that conversation, the Examiner indicated that it would be potentially beneficial for the Applicants to file this response with a Declaration under 37 C.F.R. §1.132. Specifically, the Applicants respectfully submitted to the Examiner that use of the method of U.S. Patent No. 4,073,777 (hereafter, O'Neill) will not provide the same results as provided by the method of the presently pending patent application, as shown by claim 1 and other claims of the presently pending patent application.

As a result of the above mentioned, the Applicants respectfully request that the Examiner carefully consider this response and the attached Declaration.

II. Response to Claim Rejections

In the Office Action, pending claims 1, 3-13, and 31-34 have been preliminarily rejected as being allegedly unpatentable under 35 U.S.C. §103. The Applicants are hereby submitting a Declaration under 37 C.F.R. §1.132, which illustrates and describes a series of tests performed and documented for purposes of showing how the method of O'Neill is not capable of providing the same results as the method of the presently pending application (as shown in claim 1 and other claims of the presently pending application). Each of the steps of claim 1 in the presently pending application was performed during the series of tests. In addition, steps of other claims were performed.

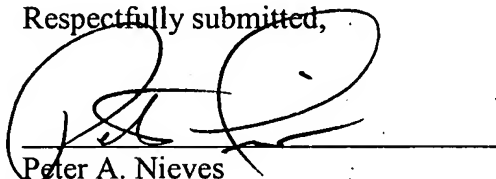
Use of the steps of O'Neill provides a polymer that is adhered to a substrate to which the polymer was originally applied. The series of tests described and documented in the Declaration shows that applying metal leaf to O'Neill, which is not taught by O'Neill, still does not result in the same adhesive properties as that provided by following the steps of claim 1 and other claims of the presently pending patent application. The Exhibits of the Declaration illustrate how use of O'Neill with the addition of metal leaf, does not result in a functioning product. For at least this reason, the Applicants respectfully request the Examiner to consider the Declaration presently submitted for purposes of overcoming the outstanding rejection of claims 1, 3-13, and 31-34.

If independent claim 1 is allowable over the prior art of record, then its dependent claims 3-13 are allowable as a matter of law. *In re Fine*, 837 F.2d 1071 (Fed. Cir. 1988). In addition, since independent claim 31 is similar to independent claim 1, the Applicants respectfully submit that independent claim 31 is allowable for at least the same reasons that independent claim 1 is allowable. Further, if independent claim 31 is allowable over the prior art of record, then its dependent claims 32-34 are allowable as a matter of law. *In re Fine*, 837 F.2d 1071 (Fed. Cir. 1988).

CONCLUSION

In light of the foregoing amendments and for at least the reasons set forth above, the Applicants respectfully submit that all objections and rejections have been traversed, rendered moot and/or accommodated, and that presently pending claims 1, 3-13, and 31-34 are in condition for allowance. Favorable reconsideration and allowance of the present application and the presently pending claims are hereby courteously requested. If in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (603) 627-8134.

Respectfully submitted,



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I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on December 27, 2005 at Manchester, New Hampshire.

By: 
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